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LITIGATION BUREAU

Writer Direct: (518) 776-2293

October 7, 2021

Hon. Miroslav Lovric, U.S. Magistrate Judge (via ECF)
Federal Building and U.S. Courthouse
15 Henry Street
Binghamton, NY 13901

Re: *Young America's Foundation et al v. Stenger et al*
Northern District of New York – 20-cv-822 (LEK)(ML)
OAG # 20-0376578-L1

Dear Judge Lovric:

This office represents Defendants John Pelletier, Brian Rose and Harvey Stenger.

The Court's text order dated October 4, 2021 [Dkt. 82] scheduled an in-person hearing for October 12, 2021 at 2:30 p.m. concerning a motion to quash subpoena by non-party Masai Andrews [Dkts. 76, 79], and Plaintiffs' Order to Show cause to compel response to that subpoena. [Dkt. 80]. The text order requires that "the parties" appear at the hearing. [Dkt. 82].

These Defendants take no position as to the non-party subpoena at issue. The undersigned, as counsel for Defendants John Pelletier, Brian Rose and Harvey Stenger, respectfully requests to be excused from attending the hearing.

Thank you for your kind consideration to this request.

Very truly yours,

s/ John F. Moore

John F. Moore
Assistant Attorney General
Bar Roll No. 105188

cc (via ECF): All Counsel